



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

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SUPPLEMENT TO 4/18/05 MPWMD BOARD PACKET

Attached are copies of letters received between March 7 and April 6, 2005. These letters are also listed in the April 7, 2005 Board packet under item 15, Letters Received.

Author	Addressee	Date	Topic
Curtis Weeks	Francis Duda	3/2/05	Response to letter received on February 21, 2005
Quinton Roland	MPWMD Board	3/19/05	Monterey Peninsula Water Supply and Management Solution
Michael Stamp	David Berger	3/21/05	Water Credit Transfers

MONTEREY COUNTY

WATER RESOURCES AGENCY

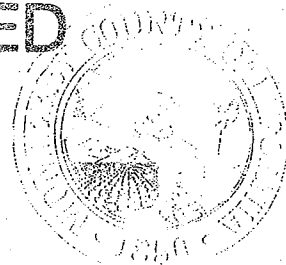
PO BOX 930
SALINAS, CA 93902
(831) 755-4860
FAX (831) 424-7935

CURTIS V. WEEKS
GENERAL MANAGER

RECEIVED

MAR -7 2005

MPWMD



1

STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

March 2, 2005

Francis Duda
Box 6004
Carmel, CA 93921

Subject: Response to letter received on February 21, 2005

Dear Mr. Duda:

We have received a copy of your undated letter regarding "...water flowing unobstructed to the ocean down the Carmel River." If you have previously sent a letter to the Monterey County Water Resources Agency in Salinas, we apologize for failing to respond. We will try to respond fully to your concerns.

Reading your letter carefully, it appears that you have concerns focused on the Carmel River. As part of our response we are forwarding the letter and this response to David Berger and Steve Leonard. Mr. Berger is General Manager of the Monterey Peninsula Water Management District, the agency with authority and responsibility for water resources planning and management of the Carmel River. Mr. Leonard is Vice President and Manager of California American Water, the private company that provides water service to the Monterey Peninsula and operates the two dams on the Carmel River. Those two agencies are in better position to respond to your concerns about excess Carmel River water flowing to the ocean and provide their perspectives on desalination as an addition water source for the Peninsula.

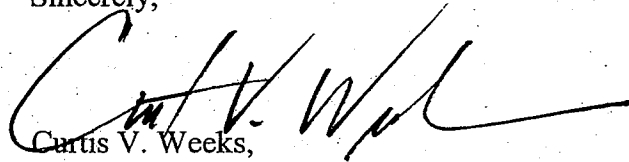
You may not be aware that water resources in Monterey County are managed by three agencies: our Agency, the Monterey Peninsula Water Management District and the Pajaro Valley Water Management Agency. In general each of those agencies deals primarily with one of the three major river basins in the County, the Carmel, the Salinas and the Pajaro.

Mr. Francis Duda,
March 2, 2005
Page 2

Our agency believes that a portfolio of water supply solutions will best serve the citizens of Monterey for the future. For that reason we constructed Nacimiento and San Antonio dams, the Castroville Seawater Intrusion Project, the Monterey County Water Recycling Projects, and obtained voter approval for the Salinas Valley Water Project in 2003. For the same reason we have been supportive of water supply proposals of the other two agencies in their watersheds and remain so. We agree that desalination is significantly more expensive than several other water supply options. We think the Peninsula experience with various supply proposals has shown a public reluctance to pursue some of those other options however. Additionally we think the environmental and regulatory issues connected with dams of any sort on any river are substantial these days, and indeed are experiencing some of those difficulties in seeking clearance for our own Salinas Valley Water Project rubber diversion dam on the lower Salinas River.

We will also inform the Monterey Peninsula Water Management District and California American Water by telephone that we have forwarded your letter to them, and are copying the other addressees as well.

Sincerely,



Curtis V. Weeks,
General Manager

Cf: ~~Supervisor Lou Calcagno, District 2~~
✓ Mr. David Berger, Monterey Peninsula Water Management District
Mr. Steve Leonard, California American Water

Francis Duda
Box 6004
Carmel CA 93921
831 626 8236
fraduda@hotmail.com

Mr. Louis Calcagno
Cc: Mr. Dave Potter
Cc: Mr. Curtis Weeks
Monterey Co.

Dear Mr. Weeks,

I don't know why I give a return address because you have never acknowledged my letters in the past. I am writing to you about water.

When I see the thousands of acre feet of fresh water flowing unobstructed to the ocean down the Carmel River. I think that you and Mr. Weeks are insane; or that you have some how sold out to the corporate construction interests and the energy suppliers. Desalination can be a good solution for Saudi Arabia where energy is abundant and no other source of water is available. But for us who pay excessively high prices for energy (sometimes because no body is paying sufficient attention to the purchasing contracts that are entered into) desalination is a costly and ever more costly proposal that should be left for the "last ditch".

Somebody at the State level is complaining about taking too much water out of the Carmel River; who ever that is can be dissuaded. Rules can be changed in the face of commonsense and community need. You probably don't need any kind of approval to repair the Carmel River dam. My proposal is to build a new dam a short distance in front of the present dam and then to use conveyer belts to lift all the silt from the present reservoir and dump it between the old and new dam. No trucking needed! And once again the reservoir will hold a respectable supply of water. And plans need to be put in to place to dredge out the new silt every 2 years.

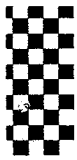
And to keep the entire Carmel river basin recharged; a number of rubber dams should be erected so that 5 feet of water could be maintained along the length of the river far longer into the dry season than is presently possible. Those rubber dams would be lowered in the rainy season each year to naturally wash out the collected silt & raised to capture the water that would provide recreational and aquifer advantages to the whole community.

Such thinking takes a wonderful resource {water} and preserves it for the common good. Where as another ugly plant that consumes large amounts of expensive energy necessitating higher price water and a "cash cow" serves the moneyed interests.

Now where do you stand? With the common good or with the "moneyed interests"?

Sincerely

Francis Duda



RECEIVED

MAR 21 2005

Saturday, March 19, 2005

MPWMD

RE: MONTEREY PENINSULA WATER SUPPLY AND MANAGEMENT SOLUTION

Dear Board of Directors,

According to the Monterey Peninsula Water Management District Annual Report, the Monterey Peninsula's primary water supplies, the Carmel River and the Seaside Aquifer, have been experiencing severe over-pumping to unsafe levels by Cal-Am over the past 25 years. Cal-Am is the problem, and it always has been. This has become a huge, and intentionally caused, public health and environmental crisis that must be solved now. Seeing no progress over the past 20 years by any private efforts, the citizens of Monterey County have been calling for a public solution for this public crisis. We are fed up with the failed leadership of the Monterey County Board of Supervisors, its' Monterey County Water Resources Agency, and the wasted millions of the Monterey Peninsula Water Management Agency.

If a public solution is long overdue, then why are Cal Am and its public relations squad – in arrogant defiance of the growing landslide of public opposition – insistent on teaming up with the Salinas-based Monterey County Water Resource Agency to form a new joint powers authority that is not subject to recall or voter influence to further complicate this mess? Is it possible that they have overlooked the fact that a joint powers authority already exists with offices in Marina, one that is more successful and cost-effective than either the Monterey Peninsula Water Management District or the Monterey County Water Resource Agency?

It is called the Monterey Regional Water Pollution Control Agency (MRWPCA), and its member communities are Pacific Grove, Monterey, Del Rey Oaks, Seaside, Sand City, Fort Ord, Marina, Castroville, Moss Landing, Boronda, Salinas and some unincorporated areas in northern Monterey County. The MRWPCA Board of Directors consists of mayors, city councilmembers, county supervisors and district board members involved in various water-related organizations. Currently managing water treatment, recycling and distribution systems, the MRWPCA is perfectly suited to manage a water system like the Cal-Am system at far less cost to Monterey County citizens than Cal-Am is proposing with its desalination plant.

MRWPCA is a very important public agency in Monterey County. General Manager Keith Israel has performed exceptionally well over the years, serving the Agency (and public's) mission and goals, unaffected by the political gamesmanship happening all around him.

It seems ironic that the lawsuit-racked, and judicially rebuked, Salinas-based Monterey County Water Resource Agency and its' general manager Curtis Weeks, are teaming up with Cal-Am to get back into the water treatment game. This is the same agency that lost tens of millions of dollars of county funds, and now faces even more financial and civil liability, because they failed to properly clean out both the Pajaro River and Little Bear Creek. If they are so ineffective that they can't even clean out a ditch, what makes anyone, including the city councils and mayors, think that the Monterey County Water Resources Agency could operate a public water supply system, let alone a desalination plant? Are the cities prepared to pay the bills?

Cal-Am has publicly requested permission from the California Public Utilities Commission to DOUBLE the monthly water bills of every person from Pacific Grove to Carmel Valley to Highway 68 in the next 24 months. The County Supervisors appear to be having trouble recognizing that it is their job to protect their constituents from both ineffective bureaucrats and the morally corrupt Cal-Am that is now trying to buy politicians and legislation in Sacramento to

stop our citizens from taking back our water rights and water supplies. The Grand Jury was right. By supporting a new joint powers agency, the Supervisors are denying their constituents the most basic right to control public agencies by election and giving our water supplies to Cal-Am forever.

Why are they deliberately overlooking the MRWPCA while endeavoring to create an expensive, unresponsive new joint powers authority from scratch? Do we really have that much money to burn? Perhaps some of the Supervisors are simply a little confused or absent-minded. In any case, here is a helpful reminder: We didn't elect our representatives to delegate away our rights to Cal-Am and ineffective bureaucrats, or to any joint powers agency that we, the people, cannot control, simply because they don't have the will to address the problems that they were elected to fix.

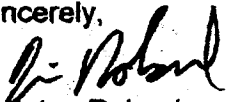
Go with what's already up and running. Go with a proven track record. Let the MRWPCA be the public agency with the expertise to do the job right and the desire to represent the public's interest. Don't leave it up to a big, private, and morally bankrupt corporation from Germany.

Several water pollution control agencies throughout California have successfully joined local communities in taking over privately held water companies and turning them into publicly owned and operated entities. The reason why Cal Am was on the losing end of these public takeovers is simple. They don't care about the citizens of our state. If they did, they wouldn't be trying to pay politicians to take away our rights.

Supervisors and mayors should not ignore the public will. They need to do the right thing, and purge Monterey County of the corporate arrogance and avarice of Cal-Am and any bureaucrat that wants to work with Cal-Am to the detriment of our citizens. The county needs to take advantage of existing resources, and let the MRWPCA be the joint powers authority to manage our new regional water system.

If supervisors and mayors are confused, indecisive, or bent on duplication of services and re-creating the wheel, then it's time to let the people of the Monterey Peninsula vote on it and decide for themselves. They voted against the dam. They supported the desalination plant without the help or interference of the County. They can do it again and vote for whoever they want to take over Cal-Am and to build, own, and operate a desalination plant. The June and November elections are approaching. Let's put it to a vote. That will be more productive and less expensive than recall elections.

Sincerely,



Quinton Roland
Registered Voter, City of Marina

CC: Monterey County Board of Supervisors, City of Monterey, City of Seaside, City of Carmel-by-the-Sea, City of Pacific Grove, City of Salinas, Fort Ord Reuse Authority, Pajaro/Sunny Mesa Community Services District, Monterey Regional Water Management District, Monterey Regional Water Pollution Control Agency, Monterey Peninsula Water Management District, Marina Coast Water District, Monterey County Water Resource Agency, Sierra Club Ventana Chapter, Monterey County Landwatch, Congressman Sam Farr, Assemblyman John Laird, Assemblyman Abel Maldonado.



RECEIVED

LAW OFFICES OF
MICHAEL W. STAMP

Facsimile
(831) 373-0242

479 Pacific Street, Suite 1
Monterey, California 93940

MAR 21 2005
Telephone
(831) 373-1214

March 21, 2005

MPWMD

4:45 pm
J

Via facsimile
David Berger, General Manager
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942

Re: Water Credit transfers

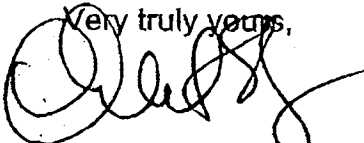
Dear Mr. Berger:

Please tell me if there are any water credit transfers (complete applications, incomplete applications, or transfers still in the discussion phase) of which the District has knowledge and which the District Board has not yet approved. If there are, please consider this a Public Records Act request for all records referencing any aspect of the transfer(s). My clients would like to review the records and identify them for copying. Please let us know as soon as the records are available.

I draw the District's attention to Government Code section 6253.1, which requires a public agency to assist the public in making a focused and effective request by (1) identifying records and information responsive to the request, (2) describing the information technology and physical location of the records, and (3) providing suggestions for overcoming any practical basis for denying access to the records or information sought.

If the District determines that any or all of the information is exempt from disclosure, I ask that the District reconsider that determination in view of Proposition 59, which amended the state Constitution to require that all exemptions be "narrowly construed." Proposition 59 may modify or overturn authorities on which the District has relied in the past. If the District determines that any requested records are subject to a still-valid exemption, I request that: (1) the District exercise its discretion to disclose some or all of the records notwithstanding the exemption; and (2) that, with respect to records containing both exempt and non-exempt content, the District redact the exempt content and disclose the rest.

Should the District deny part or all of this request, the District is required to provide a written response describing the legal authority on which the District relies. Thank you for the your professional courtesy.

Very truly yours,

Michael W. Stamp